

MAR 25 1997

CERTIFIED MAIL Z 203 264 672
RETURN RECEIPT REQUESTED

Mr. Jeff Nielsen, Director of Operations
Pennfield Animal Health
14040 Industrial Road
Omaha, NE 68144

RE: Claim for Confidential Business Information
Pennfield Animal Health
14040 Industrial Road
Omaha, Nebraska 68144
EPA ID No. NER000000448

Dear Mr. Nielsen:

This is regarding a claim of confidential business information (CBI) for information collected during the Environmental Protection Agency's (EPA's) November 1996 inspection of the your facility. Your CBI claim is being denied for the reason explained below.

On December 26, 1996, a notification was sent to you indicating that a final determination would be made concerning your confidentiality claim. At that time, you were requested to provide comments on several items regarding the claim. The notification also stated that you would bear the burden of substantiating the confidentiality claim and that failure to submit comments within the specified time would be regarded as a waiver of your confidentiality claim.

Your response was due in this office within fifteen working days from the date of its receipt. Our records show that you received our notification letter on December 31, 1996, but have failed to respond. As specified in our December 26, 1996, letter to you, we are regarding your failure to respond within the specified time as a waiver of the confidentiality claim.

ARTD/RPCB:GRESHAM:ns:7305:a:CBI2.LTR

RPCB	RPCB	ARTD	CNSL	CNSL
SLUGANTZ	HEIMAN	SPRATLIN	HIRSCH	STEINCAMP
GRESHAM		KAFLOZ		MR3
3/18/97	3/19/97	3/20/97	3/20/97	3/25/97

Heiman

153/19/97



R00051182
RCRA Records Center

Therefore, the information collected during the EPA's November 1996 inspection of your facility is no longer subject to confidential treatment, and the EPA is free to release the information. If you have any questions regarding this matter, please contact Ms. Patricia Hirsch of my staff at (913) 551-7249.

Sincerely,

Martha R. Steincamp
Regional Counsel

cc: Bill Gidley, NDEQ

bcc: Jennnifer Anderson, ARTO



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
726 MINNESOTA AVENUE
KANSAS CITY, KANSAS 66101

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Sincerely,

A handwritten signature in cursive script that reads "Martha R. Steincamp". The signature is written in dark ink and is positioned below the word "Sincerely,".

Martha R. Steincamp
Regional Counsel

cc: Bill Gidley, NDEQ